

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION**

UNITED STATES OF AMERICA

v.

**1) AGAPITO JORGE VENTURA
AKAs: JORGE VENTURA, GEORGE
VENTURA, EL RAITERO**

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CRIMINAL NO. 5:24-CR-01187-S

GOVERNMENT’S UNOPPOSED MOTION TO CERTIFY CASE AS COMPLEX

COMES NOW the United States of America ("the Government"), by and through its United States Attorney, Alamdar S. Hamdani, Assistant United States Attorney, Jennifer L. Day, for the Southern District of Texas, Brent S. Wible, Principal Deputy Assistant Attorney General, Head of the Criminal Division, and Danielle L. Hickman, Trial Attorney, Human Rights and Special Prosecutions Section, Criminal Division, U.S. Department of Justice, files this motion as follows:

1. Pursuant to Title 18, United States Code, Section 3161(h)(7)(B)(ii), the Government moves to certify this case as a complex case.

2. In support of this motion, the Government affirms that this prosecution involves a three-year investigation into members of an international human smuggling conspiracy, which resulted in a mass casualty event that occurred in Tuxtla Gutierrez, Chiapas, Mexico on December 9, 2021 where more than 50 migrants were killed.

3. This investigation resulted in the indictment of targets in both Guatemala and the United States and involved a significant number of co-conspirators. Six defendants have been charged, including Agapito Jorge Ventura, an undocumented Guatemalan national residing in the

United States. On December 9, 2024, four Guatemalan citizens were also arrested based on the charge contained in this superseding indictment. All four are currently pending extradition to the United States. One defendant remains sealed.

4. The charged conspiracy spans 16 months, and includes multiple human smuggling events. This investigation is complex and involves an extensive amount of evidence gathered both domestically and internationally. This includes Facebook search warrant returns, hundreds of audio recordings, pen registers, geolocation data, photographs, and other documents. Additionally, the discovery to be provided includes documents received via Mutual Legal Assistance Treaties (MLATs) from Mexico and Guatemala. There are extensive communications between the co-conspirators and the individuals they smuggled (both written and audio) that must be reviewed.

4. Additionally, because this case charges a smuggling conspiracy resulting in death and serious bodily injury, there are additional medical records and death/autopsy records to be disclosed and reviewed.

5. Given the volume of discovery and the number of defendants, the production process will be more complicated and longer than in most other cases. It is anticipated that pretrial discovery will be lengthy and it is foreseeable that pretrial motions can reasonably be expected.

6. It is also anticipated that the case may present novel questions of fact and/or law and it is unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by 18 U.S.C. § 3161.

7. It is estimated that a trial in this case may take several days or weeks depending on the number of defendants who ultimately pursue a jury trial.

9. There are no material witnesses being held in custody on this case.

WHEREFORE, PREMISES CONSIDERED, the Government respectfully requests that its

motion be granted.

Respectfully Submitted,

Alamdar S. Hamdani
United States Attorney

/s/ Jennifer L. Day
Jennifer L. Day
Assistant United States Attorney

Brent S. Wible
Principal Deputy Assistant Attorney General
Head of the Criminal Division
U.S. Department of Justice

/s/ Danielle Hickman
Danielle L. Hickman
Trial Attorney
Human Rights and Special Prosecutions Section
Criminal Division
U.S. Department of Justice

CERTIFICATE OF SERVICE AND CONFERENCE

The undersigned attorney certifies that she has provided a copy of the attached motion and has personally conferred with Myrna Montemayor and Carlos Alaniz, counsel for Agapito Jorge Ventura, who are unopposed to this motion.

/s/ Jennifer L. Day
Jennifer L. Day
Assistant U.S. Attorney